

#3



DECLARATION AND POWER OF ATTORNEY FOR CIP PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

FUEL CELL WITH PULSED ANODE POTENTIAL

the specification of which is attached hereto unless the following box is checked:

[x] was filed on October 15, 1999 as United States Application Number or PCT International Application Number 09/381,113.

I hereby state that this application in part discloses and claims subject material disclosed in my earlier-filed pending application Serial No. 09/381,113 filed October 15, 1999.

I hereby state that I reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I also acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.63(d), which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application:

Country: Germany
Appln. No.: 197 10 819.9
Filed: March 15, 1997

By Express Mail
No. EL 913696261 US

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

Application No.:

Filing Date:

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Appln No.: 09/381,113

Filing Date: October 15, 1999

pending

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

MYRON COHEN, Reg. No. 17,358; THOMAS C. PONTANI, Reg. No. 29,763; LANCE J. LIEBERMAN, Reg. No. 28,437; MARTIN B. PAVANE, Reg. No. 28,337; MICHAEL C. STUART, Reg. No. 35,698; KLAUS P. STOFFEL, Reg. No. 31,668; EDWARD WEISZ, Reg. No. 37,257; VINCENT M. FAZZARI, Reg. No. 26,879; JULIA S. KIM, Reg. No. 36,567; ALFRED FROEBRICH, Reg. No. 38,887; ALFRED H. HEMINGWAY, JR., Reg. No. 26,736; KENT H. CHENG, Reg. No. 33,849; YUNLING REN, Reg. No. 47,019; ROGER S. THOMPSON, Reg. No. 29,594; BRICE FALLER, Reg. No. 29,532; DAVID J. ROSENBLUM, Reg. No. 37,709; TONY CHEN, Reg. No. 44,607; ELI WEISS, Reg. No. 17,765.

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Address all telephone calls to Thomas C. Pontani, Esq. at telephone No. (212) 687-2770.

Address all correspondence to:

Thomas C. Pontani, Esq.
Cohen, Pontani, Lieberman & Pavane
551 Fifth Avenue, Suite 1210
New York, New York 10176

Full Name of Sole or First Inventor: Ulrich STIMMING

Inventor's signature: _____

Dated: _____
Month/Day/Year

Residence: Muttenthalerstr. 1
D-81479 Munich
Germany

Citizenship: Germany

Post Office Address: Muttenthalerstr. 1
D-81479 Munich
Germany

Full Name of Second Joint Inventor: Kaspar Andreas FRIEDRICH

Inventor's signature: Kaspar Andreas Friedrich

Dated: August, 2nd, 2002
Month/Day/Year

Residence: Regina-Ullmannstr. 52
D-81927 Munich
Germany

Citizenship: Germany

Post Office Address: Regina-Ullmannstr. 52
D-81927 Munich
Germany

Full Name of Third Joint Inventor: Wolfgang UNKAUF

Inventor's signature: _____

Dated: _____
Month/Day/Year

Residence: Rosenweg 12
D-55294 Bodenheim
Germany

Citizenship: Germany

Post Office Address: Rosenweg 12
D-55294 Bodenheim
Germany



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Cohen, Pontani, Lieberman & Pavane
551 Fifth Avenue, Suite 1210
New York, New York 10176

Full Name of Sole or First Inventor: Ulrich STIMMING

Inventor's signature: 

Dated: 4/27/2002

Month/Day/Year

Residence: Muttenthalerstr. 1
D-81479 Munich
Germany

Citizenship: Germany

Post Office Address: Muttenthalerstr. 1
D-81479 Munich
Germany

Full Name of Second Joint Inventor: Kaspar Andreas FRIEDRICH

Inventor's signature: _____

Dated:

Month/Day/Year

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D-81927 Munich
Germany

Citizenship: Germany

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Filed: March 15, 1997

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Full Name of Sole r First Inventor: Ulrich STIMMING

Inventor's signature: _____

Dated: _____
Month/Day/Year

Residence: Muttenthalerstr. 1
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Citizenship: Germany

Post Office Address: Muttenthalerstr. 1
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Full Name of Second Joint Inventor: Kaspar Andreas FRIEDRICH

Inventor's signature: Kaspar Andreas Friedrich

Dated: 1. August, 2nd, 2002
Month/Day/Year

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Full Name of Third Joint Inventor: Wolfgang UNKAUF

Inventor's signature: Wolfgang UnkaufDated: 09/19/2002
Month/Day/Year

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09/23/2002

Wolfgang Unkauf